

From: Steve Black
To: Microsoft ATR
Date: 1/3/02 2:18am
Subject: Microsoft Settlement

Comments on proposed settlement for civil action No. 98-1232:

Without doubt, I cannot agree more with the proposed settlement. Primarily for the following reasons:

1. In the civil action, numerous allegations are presented that are no more than unproven statements of marketing hype and propaganda. It's no surprise that the statements are one-sided and ignore Netscape's public comments regarding their planned demise of Microsoft's commercial viability, which are as meaningless as the civil action allegations. In the civil action complaints, the authors excel at presenting misleading information.
2. There is a near-monopoly in PC operating systems, however it, has been created by competitor incompetence, sloth and greed. PC OEM's are only interested in what earns them the most profit and America's millions of large and small businesses cannot afford the expense of maintaining, training, installing and resolving the compatibility issues of networking multiple PC operating systems. As it is, having to maintain separate server and desktop PC operating systems is more than enough headache and there are strong financial forces to compel the integration of these systems.
3. Microsoft failed at the outset to enhance Windows Explorer to have the capabilities of Internet Explorer. The Internet is simply one large array of networked hard drives. Every computer should be able to connect to these shared drives. There is no need for separate "Explorers" or "Navigators". However, there is nothing to prevent a competent product from being commercially successful if consumers and businesses identify ownership value. Unfortunately, there has never been a sizeable market for a separate "browser". Netscape's theft of the browser concept and attempt to create a marketable product is something they have every right to attempt, but this product concept is doomed from the beginning. Microsoft's Internet Explorer was offered to consumers who wanted to update their browsing capability, but did not want to update their operating system; otherwise there is no reason to make it a separate program since it is conceptually integral to an operating system and control of the directly attached and networked computer hardware.
4. Alternative operating systems have done poorly in the marketplace for reasons of commonality, cost of training and lack of return of investment for businesses. Consumers are an integral part of companies and gain most of their computer knowledge on the job and therefore share the same beliefs which they pass on to their lesser experienced friends. The Apple monopoly could have been wildly successful, except they chose to maintain high prices and monopolize their hardware designs. The only high business cost of

operating system entry is hard work, investment and technical competence. Allegations that a Microsoft operating system monopoly makes it more difficult to market a competing operating system are nonsense. This is as absurd as saying that no new products of any kind can be invented because everything has already been invented. There are no barriers to marketing any other software products as thousands of large and small companies have done, provided they have a viable marketing concept and consumers consider the product to have value.

5. There is no browser threat to an operating system. This is a totally ludicrous statement and is not just my opinion, but the opinion of hundreds of PC experts that have published over and over again how totally void of technical knowledge such a statement is. Quoting Microsoft statements to the contrary is simply misuse of marketing propaganda, proves nothing, and has no basis in fact. Do you believe everything you hear in commercial TV advertisements?

6. Software that runs on multiple operating systems is no threat to Microsoft. JAVA, which is not a competitor to the Microsoft operating system, is being avoided more and more by many PC users because it is the language of choice of many hackers and PC terrorists. The success of JAVA is only dependent on its authors making it a safe and viable product. JAVA's technical competence and business acumen are on trial in the eyes of the market place. I know of no reason to run JAVA on my computer and simply avoid all web sites that try to load it on my machine. Microsoft does not force any PC user to install their operating system. But, like junk email, numerous web sites offer to install JAVA on Internet users computers on a daily basis. Linux, Unix, Beos and several other operating systems are available, but do not provide the features and benefits of Windows and will not even be considered by businesses for desktop computers for these reasons.

7. This civil action has never been in the interest of consumers. Netscape and Sun have used their political influence to leverage anti-trust concepts to a new level of distortion. Ambitious politicians like Bill Lockyer have been financially induced to support egregious legal actions by companies that have lost billions of hardware dollars to windows PCs. That is, thousands of small companies that could not afford \$60,000 work stations with proprietary UNIX software, can now use \$3,000 PCs to engineer products that consumers demand. Increased productivity in thousands of industries due to Microsoft innovation is the real benefit of a free market. This is why Sun is losing billions due to the demise of their hardware empire and why they are in such a panic to get revenge by destroying Microsoft. They are misusing the legal system to compensate for their business failings.

I am not now, nor have I ever been a Microsoft employee or employed by any organization working for Microsoft. I am a mechanical engineer, consumer and computer hobbyist. For a few years, I did struggled with the issues of providing computer services to fellow engineers and I learned to dislike a

number of large, arrogant, 3-letter-named computer/software companies. Their adversarial attitudes and ludicrous prices will remain etched in the minds of an entire generation that today prepare the budgets in many corporations.

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